

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BRANDON LEE MAIN,

Defendant.

CR-10-52-M-BMM

ORDER

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on June 22, 2022. (Doc. 101.) Brandon Main (Mann) filed an objection on June 23, 2022. (Doc. 105.) The Court reviews de novo findings and recommendations to which a party objects. 28 U.S.C. § 636(b)(1).

Judge Johnston conducted a revocation hearing on June 21, 2022. (Doc. 108.) The United States accused Main of violating his conditions of supervised release for failing to complete his 180-day term at the Great Falls Residential Re-entry Center. (Doc. 95.) At the revocation hearing, Main admitted that he had violated the terms of his supervised release by failing to complete his 180-day term at the Great Falls Residential Re-entry Center. (Doc. 108.) Judge Johnston found

the violation Main admitted are serious and warrants revocation of Main's supervised release. Judge Johnston recommended Main be incarcerated for 4 months, with 27 months of supervised release to follow, with the first 4 months of supervised release under home confinement. (Doc.101.) Main was advised of his right to appeal and his right to allocute before the undersigned. (Doc. 108.)

Main now opposes Judge Johnston's Findings and Recommendations, objecting to Judge Johnston's recommended length of custody. (Doc. 105.)

The Court has reviewed Judge Johnston's Findings and Recommendations as well as Fast Horse's objection. The undersigned conducted a revocation hearing on July 11, 2022. (Doc. 108.) Main and his attorney were allowed to allocute before the undersigned. (*Id.*) The Court has also considered the 18 U.S.C. § 3553(a) factors and agrees with Judge Johnston's Findings and Recommendations.

Main's violation of his conditions of supervised release represents a serious breach of the Court's trust. This violation proves serious. Judge Johnston has recommended that the Court revoke Main's supervised release and commit him to the custody of the Bureau of Prisons for 4 months. (Doc. 101.) Judge Johnston further recommended 27 months of supervised release to follow with the first 4 months of supervised release spent in home confinement. (*Id.*) Accordingly,

IT IS HEREBY ORDERED that Main's objection is denied. Judge Johnston's Findings and Recommendations, (Doc. 101) are ADOPTED IN FULL.

IT IS FURTHER ORDERED that Defendant BRANDON LEE MAIN be sentenced to the custody of the Bureau of Prisons for 4 months, with 27 months of supervised release to follow, with the first 4 months of supervised release on home confinement.

DATED this 13th day of July, 2022.

A handwritten signature in blue ink, reading "Brian Morris".

Brian Morris, Chief District Judge
United States District Court